

## **Record of Communication**

### **Call with Mr. Joe Allen, Fall River County Commissioner**

#### **RE: Injectate limitations for the Class V Injection wells and the Aquifer Exemption for uranium ore-bearing portions of the Inyan Kara aquifers.**

On March 24, 2017, Valois Shea of the EPA UIC Program returned Mr. Joe Allen's call to Lisa McClain-Vanderpool. Mr. Allen had asked Ms. McClain-Vanderpool if waste fluids from out of state could be disposed of in the Class V injection wells.

Valois Shea directed Mr. Allen to Section 7.8 of the *Class V Draft Area Permit Fact Sheet* and Part IV, Section K of the *Class V Draft Area Permit*, which explain the injectate for the Class V wells is limited to ISR waste fluids treated to meet radioactive waste and hazardous waste standards. Mr. Allen asked if the permit allows ISR waste fluids from other states, for example Wyoming, to be disposed of in the Class V wells. Ms. Shea said the draft permit does not require that the ISR waste fluids are restricted only to those produced at the Dewey-Burdock, but that would be a good comment to submit to the EPA. Mr. Allen asked if Powertech disposed of waste fluids that were not ISR waste fluids, would that be a violation of the permit? Ms. Shea replied that it would. Mr. Allen asked if the Class V draft permit required documentation of the origin of waste fluids disposed of in the Class V wells, for example manifests similar to those required under the RCRA Program. Ms. Shea replied that the Class V draft permit does not require any documentation of the origin of waste fluids injected into the Class V wells, but that would also be a good comment to submit to the EPA.

Mr. Allen asked for clarification of the proposed aquifer exemption from the requirements of the Safe Drinking Water Act, namely what areas are being exempted. Ms. Shea replied that the proposed exemption area includes uranium ore-bearing portions of the Inyan Kara aquifers where the Class III wells would inject lixiviant that would mobilize uranium in those portions of the aquifers. Mr. Allen requested that he be emailed a link to the documents that provide information about the aquifer exemption.

Mr. Allen asked if there would be a forum at which Ms. Shea would appear to explain these topics, among others, to the public. Ms. Shea replied that she would be attending the four public hearings and that each public hearing would begin with a public outreach session where she would provide information to attendees and answer questions before the public hearing begins.

Mr. Allen said he was considering attending the Valentine, Nebraska, as well as those in South Dakota.